

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**FOURTEEN MISCELLANEOUS  
FIREARMS,**

**MISCELLANEOUS ROUNDS OF  
AMMUNITION, et al.,**

**Defendants.**

**Case No. 18-04177-CV-C-NKL**

**MOTION FOR JUDGMENT OF  
FORFEITURE, WITH SUPPORTING SUGGESTIONS**

The United States of America, by and through the United States Attorney for the Western District of Missouri, moves this Court for entry of a judgment of forfeiture. This motion is supported by the Complaint for Forfeiture in Rem, the Stipulation executed by the United States, Claimant Robert Bacon, and his attorney Scott A. Hamblin, and the following supporting suggestions. A proposed order is submitted with this motion.

**Supporting Suggestions**

On August 29, 2018, the United States brought this action for forfeiture pursuant to 18 U.S.C. § 924(d)(1), alleging that the defendant properties constituted property involved in or used in a knowing violation of 18 U.S.C. § 922(a)(1)(A), that is a person engaged in the business of dealing in firearms without a license. A Special Agent with the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives arrested the defendant properties on October 2, 2018.

The known potential claimant was served by Certified Mail, Return Receipt to his attorney, Scott A. Hamblin. A copy of the signed Return Receipt is attached. Notice of the seizure and the requirements for filing a claim for the defendant properties was properly published for thirty consecutive days beginning on August 31, 2018, and ending on September 29, 2018, on the official government internet site, [www.forfeiture.gov](http://www.forfeiture.gov). An Affidavit of Publication is on file with the Court.

Pursuant to 18 U.S.C. § 983(a)(4)(A) and Rule G(5)(a)(i) of the Supplemental Rules to the Federal Rules of Civil Procedure for Admiralty or Maritime and Asset Forfeiture Claims, a person who asserts an interest in the property that is the subject of the action must file a claim identifying the interest within (1) the time stated in a direct written notice, or (2) 30 days after final publication of newspaper notice, or (3) within such additional time as may be allowed by the Court. A claimant must serve an answer to the complaint within twenty (20) days after the filing of the claim, pursuant to 18 U.S.C. § 983(a)(4)(B) and Rule G(5)(b). The time for filing a claim has expired for the known potential claimants. Furthermore, more than 30 days have passed since the date of the last publication. No additional time for filing a claim has been granted by the Court.

Robert Bacon, by his attorney Scott A. Hamblin, filed a claim on December 20, 2018. The United States and the claimant have reached an agreement regarding his claim, which is set forth in the stipulation attached hereto. In that stipulation, Claimant Robert Bacon agrees to the forfeiture of the defendant properties. No other claims to the properties have been filed.

Because all potential claimants to the defendant properties, except Claimant Robert Bacon, are in default, and the United States and Claimant Robert Bacon have reached an agreement as set forth in the attached

stipulation, the entry of a judgment of forfeiture in accordance with that stipulation is appropriate. Accordingly, the United States respectfully requests that this Court enter a judgment of forfeiture as proposed. The United States also requests that this Court direct the Clerk of the Court to enter a judgment incorporating the terms of the forfeiture order. The entry of a clerk's judgment is necessary to protect the interest of the Government in ensuring the finality of the forfeiture against all potential claimants not just the Claimant with whom the United States has reached a settlement.

Respectfully submitted,

Timothy A. Garrison  
United States Attorney

By

/s/ Stacey Perkins Rock  
Stacey Perkins Rock, #66141  
Monetary Penalties Unit Chief  
Assistant United States Attorney  
400 E. 9<sup>th</sup> Street, Fifth Floor  
Kansas City, Missouri 64106  
Telephone: (816) 426-7173

### **CERTIFICATE OF SERVICE**

I hereby certify that on May 1, 2019, the foregoing motion was electronically filed with the Clerk of the Court using the CM/ECF system for electronic delivery to all counsel of record.

/s/ Stacey Perkins Rock  
Stacey Perkins Rock  
Assistant United States Attorney